

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROMAN DE GABRIEL RIVERA,

Plaintiff,

-against-

LETTIRE CONSTRUCTION CORP., et al.,

Defendants.

21-CV-6006 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

For the reasons stated at the final pretrial conference held on January 17, 2024:

- The motion to exclude the exhibits identified in defendants' January 4<sup>th</sup> disclosure is DENIED AS MOOT.
- The motion to exclude the testimony of Angela Levitan is GRANTED IN PART as stated on the record.
- The motion to exclude the testimony of Anthony Lequerica is DENIED.
- The motion to dismiss plaintiff's cause of action under Labor Law § 241(6) premised on 12 NYCRR 23-1.7(b)(1)(iii) is GRANTED AS UNOPPOSED.
- The motion to preclude plaintiff from testifying at trial is DENIED.
- All other motions in limine are DENIED AS MOOT per the parties' agreement.

The Clerk of Court is directed to terminate the motions at Dkts. 226, 227, 228, 238, and 253.

SO ORDERED.

Dated: January 18, 2024  
New York, New York



ARUN SUBRAMANIAN  
United States District Judge